

THE HONORABLE THOMAS S. ZILLY

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

HUNTERS CAPITAL, LLC, a Washington limited liability company, NORTHWEST LIQUOR AND WINE LLC, a Washington limited liability company, SRJ ENTERPRISES, d/b/a CAR TENDER, a Washington corporation, THE RICHMARK COMPANY d/b/a RICHMARK LABEL, a Washington company, SAGE PHYSICAL THERAPY PLLC, a Washington professional limited liability company, KATHLEEN CAPLES, an individual, ONYX HOMEOWNERS ASSOCIATION, a Washington registered homeowners association, WADE BILLER, an individual, MADRONA REAL ESTATE SERVICES LLC, a Washington limited liability company, MADRONA REAL ESTATE INVESTORS IV LLC, a Washington limited liability company, MADRONA REAL ESTATE INVESTORS VI LLC, a Washington limited liability company, 12TH AND PIKE ASSOCIATES LLC, a Washington limited liability company, REDSIDE PARTNERS LLC, a Washington limited liability company, MAGDALENA SKY, an individual, OLIVE ST APARTMENTS LLC, a Washington limited liability corporation, and BERGMAN'S LOCK AND KEY SERVICES LLC, a Washington limited liability company, on

Case No. 2:20-cv-00983-TSZ

PLAINTIFFS' RESPONSE TO
NATIONAL POLICE ASSOCIATION'S
MOTION FOR LEAVE TO
PARTICIPATE AS *AMICUS CURIAE*

Noted for Hearing: December 4, 2020

1 behalf of themselves and others similarly
2 situated,

3
4 Plaintiffs,

5 vs.

6 CITY OF SEATTLE,

7 Defendant.

8 Plaintiffs hereby respond to the National Police Association's ("NPA's") Motion for Leave
9 to Appear as *Amicus Curiae*.

10 Plaintiffs do not object to the NPA's ability to appear as an *amicus curiae* at appropriate
11 junctures in this litigation. However, Plaintiffs believe that the motion is not ripe because there are
12 no motions pending and no major motions anticipated in the near future. In the alternative, Plaintiffs
13 request that if the Court grants the NPA's motion at this time, that it limit the scope of the NPA's
14 *amicus* appearance to briefing on dispositive motions. Plaintiffs submit that the presence of an
15 *amicus* for non-dispositive motions and proceedings such as status conferences, class certification,
16 and discovery motions is unlikely to assist the parties or the Court, and that the NPA's stated interest
17 in ensuring that "correct rules of law [are] applied in cases involving police response to public protests
18 and demonstrations," Mtn. at p.2, is unlikely to be affected by those non-dispositive motions and
19 proceedings.

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1 DATED this 30th day of November, 2020.

2 **CALFO EAKES LLP**

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